

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADAPTIX, INC.,)
)
Plaintiff,)
)
v.) Civil Action No. 6:12-cv-0022 (LED)
)
ALCATEL-LUCENT USA, INC. and)
AT&T MOBILITY LLC,) JURY TRIAL DEMANDED
)
Defendants.)
)

**PLAINTIFF'S REPLY TO THE FIRST AMENDED ANSWER,
AFFIRMATIVE DEFENSES AND COUNTERCLAIMS OF
DEFENDANT ALCATEL-LUCENT USA, INC.**

Plaintiff, ADAPTIX, Inc. (“ADAPTIX”), replies to the First Amended Answer, Affirmative Defenses and Counterclaims of defendant, Alcatel-Lucent USA, Inc. (“ALU”), as follows:

COUNTERCLAIMS

30. Admitted.

31. Admitted.

COUNT I

32. Admitted.

33. Denied.

34. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

COUNT II

35. Admitted.
36. Denied.
37. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

COUNT III

38. Admitted.
39. Denied.
40. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

COUNT IV

41. Admitted.
42. Denied.
43. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

COUNT V

44. Admitted.
45. Denied.
46. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

COUNT VI

47. Admitted.
48. Denied.

49. Denied.

50. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

COUNT VII

51. Admitted.

52. Denied.

53. Denied.

54. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

COUNT VIII

55. Admitted.

56. Denied.

57. Denied.

58. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

COUNT IX

59. Admitted.

60. Denied.

61. Denied.

62. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

COUNT X

63. Admitted.

64. Denied.
65. Denied.
66. SmartPhone admits that ALU requests such relief but denies that ALU is entitled thereto.

PRAYER FOR RELIEF

WHEREFORE, ADAPTIX respectfully requests that this Court:

- A. Enter judgment in favor of ADAPTIX on all issues set forth in ALU's Answer, Affirmative Defenses and Counterclaims;
- B. Deny all relief requested in ALU's Answers, Affirmative Defenses and Counterclaims;
- C. Grant the relief requested by ADAPTIX in its Complaint, and
- D. Grant ADAPTIX such further relief as this Court may deem just and proper.

DEMAND FOR JURY TRIAL

ADAPTIX demands trial by jury on all issues raised in ALU's Counterclaims so triable.

Date: May 8, 2012

ADAPTIX, INC.

By: /s/ Paul J. Hayes (w/permission Wes Hill)

Paul J. Hayes – LEAD ATTORNEY

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ATTORNEYS FOR THE PLAINTIFF

ADAPTIX, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email on this the 8th day of May, 2012.

/s/ Wesley Hill

Wesley Hill